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Attorney's Docket No.: M01015/70013 TJO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Applicant: Cynthia C. Bamdad et al.
Serial No: 09/631,818
Confirmation No.: 9436
Filed: August 3, 2000
For: RAPID AND SENSITIVE DETECTION OF PROTEIN AGGREGATION
Examiner: Sharon L. Turner
Art Unit: 1647

#11
SQJ
11/7/02

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(A)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 24th day of October, 2002.

Elyse B. Piro
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COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Dear Sir:

The Applicants' attorney thanks the Examiner for the courtesies of telephone conversations on August 21, 2002 and October 4, 2002, during which the requirements of Paper No. 9 were clarified. Specifically, it is believed that a proper response to Paper No. 9 would include election of a relatively specifically-defined species, but not necessarily listing a single molecular embodiment for each of categories A-K at page 8 of Paper No. 5, as this might not be feasible.

Regarding the Examiner's request for a species with which to begin her search, the Applicants respectfully request that the Examiner begin with the following:

This example includes the use of an N-terminally histidine-tagged beta-amyloid peptide (i.e., the first and second chemical or biological species) fastened to gold colloid particles (the first and second particles) coated with a self-assembled monolayer. One component of the monolayer is a thiol bound to a nitrilo tri-acetic acid-nickel complex, to which the peptide is fastened. See, for example, p. 11. A drug candidate suspected of inhibiting neurodegenerative disease is added, then determination is made as to whether or not colloid particle aggregation is affected. This determination is made optically, by a color change.

Of course, this example is suggested merely to start the examination process, as requested by the Examiner, and is not to be construed to be limiting as to the scope of any claims eventually allowed in any way. The Examiner is requested to kindly advise the undersigned if a more specific species is required.

The Applicants have been asked to list all claims that read on this species. The following claims appear to form a group commensurate with the species for search and examination purposes: 276, 308 (to the extent that it depends on claim 276), 385-387, 390, 393-395, 413-416, 459, 460, and 462. Claims other than those listed here may also be relevant to this species in certain cases.

A first and favorable action is respectfully requested. If, for any reason, the examiner is of the opinion that a telephone conversation with the Applicants' representative would expedite prosecution, the Examiner is kindly invited to contact the undersigned at (617) 573-7851.

Respectfully submitted,

Bamdad et al., Applicants

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